



State of California  
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**Inquiry:** It has come to my attention that a company nearby is having their sales reps. complete over night oximetry tests for doctor's offices. I was under the impression that only a licensed respiratory practitioner could legally perform the test. I am aware that a DME company cannot qualify their own PTS for billing purposes regardless, although I am unaware and unsure if the sales rep who is not a licensed respiratory practitioner could test PTS oxygen levels for and at their referrals request. Please respond to my question.

**Response:** Pulse Oximetry performed by an employee of a DME company - Classification 3-B (*Nearly verbatim from the Respiratory Care Practice Act and prohibited*), unless the employee holds a license that authorizes the performance of pulse oximetry.

Reference # 2002-C-31